

**BELLA VISTA CITY COUNCIL MEETING MINUTES – JULY 25, 2016**

**Call to Order** by Mayor Christie at 6:30PM

**Invocation** by Pastor Jaimie Alexander, First United Methodist Church

**Pledge** recited by all present.

**Clerk Jertson** called the roll of Council. Alderman Morgan, Flynn, Anderson, King, Wozniak & Wilson all present.

**Mayor Christie** conducted a swearing in ceremony for new Police Officer Jeff Bartlett

**Citizen Input:**

George Tracy, 16 Salisbury Dr. was the first to speak and he spoke against the Ordinance on Accessory structures. His belief is that the ACC has handled this well for 50 years and that it should stay that way. He is concerned that this Ordinance will lead to lawsuits if the ACC approves and the City denies.

Roger Norbeck, 61 Portsmouth Dr. also spoke about the accessory buildings. He is concerned that the ACC has not been enforcing the standards lately like they were in the past. He suggests that this be worked on some more.

George Holmes, 14 Brixton Ln. was also concerned about the Ordinance on accessory structures. His concern is that there are many limitations to building these structures on the type of topography that is common in Bella Vista. He is concerned that the ordinance proposed will limit carports on Town Houses. He urged further consideration before passing this Ordinance.

Approval of Minutes from the June 27, 2016 City Council meeting. No corrections or additions were noted. A motion to approve was made by Alderman Anderson, seconded by Alderman Wozniak. Show of hands vote showed 6 ayes, 0 nays. Approved.

Finance Report will be postponed until the August meeting.

Motion to Suspend the rules and read all Ordinances and Resolutions by title only was made by Alderman Morgan, second by Alderman King. Roll call vote; Alderman Morgan, Wozniak, Anderson, Flynn, King aye. Alderman Wilson voted nay. Approved.

**ORDINANCE NO-** AN ORDINANCE AMENDING SECTION 18-20(b) OF THE MUNICIPAL CODE REGULATING THE DUMPING OF TREE CUTTINGS AND OTHER MATERIALS, AND FOR OTHER PURPOSES. **(Third reading)** Tabled from June meeting. Staff reported that they have not gotten the opinion on this Ordinance that they are seeking. Mayor Christie suggested that it be tabled until the August meeting. Alderman Morgan moved to table, second by Alderman King. All six council members supported this. So it will come back at the August meeting.

**ORDINANCE NO 2016-15** AMENDING SECTION 2-345 SALE OR EXCHANGE OF PROPERTY OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO CLARIFY AMBIGUITIES. **Third Reading.** Motion to Approve by Alderman King, second by Alderman Flynn. Passed 6 ayes, 0 nays.

**ORDINANCE NO-** AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 109-166 REGULATING

ACCESSORY STRUCTURES AND SECTION 109-248 REGULATING FENCE LOCATION, AND FOR OTHER PURPOSES. **Third Reading.** Alderman Flynn offered an Amendment to this Ordinance. Attorney Kelley went over the changes that were in the amendment offered by Alderman Flynn. Alderman Flynn move to adopt this amendment. Alderman Morgan seconded. At this point there was a period of debate on this Ordinance with the proposed amendment. After debate a vote was held on the amendment. Ayes: Morgan, Flynn, Wozniak. Nays: Anderson, King, Wilson resulted in a tie. Mayor Christie did not vote. Amendment fails. A motion to table until the August meeting was made by Alderman Anderson, seconded by Alderman Wozniak. Roll Call Vote resulted in 6 ayes; 0 nays. Tabled until August meeting.

**ORDINANCE NO-** AMENDING MUNICIPAL CODE REGULATIONS CONCERNING PUBLIC NOTIFICATION PROCEDURES IN SECTION 109-38(d)(2) FOR CONDITIONAL USE PERMITS, SECTIONS 109-40(c)(2) AND (e)(5) FOR ZONING ORDINANCE AMENDMENTS, SECTION 109-42(c) FOR VARIANCES, AND SECTION 109-45 FOR GENERAL NOTIFICATION REQUIREMENTS; AND FOR OTHER PURPOSES. **Second Reading.** This will move to third reading in August.

**ORDINANCE NO 2016-16** ACCEPTING AND CONFIRMING EASEMENTS DEDICATED TO THE PUBLIC ON PARCEL 18-072014-004, KNOWN AS 8512 STEVENSON PLACE, AND FOR OTHER PURPOSES. **First Reading.** Staff requests that this be expedited to third and final reading. Community Development Director Suneson commented that this is a normal lot split and is recommended for approval. A Motion was made by Alderman Anderson, seconded by Alderman Wozniak to suspend the rules and move this to third and final reading. Roll call vote resulted in 6 ayes, 0 nays. The Mayor read this for the final time and a motion to adopt was made by Alderman Flynn, seconded by Alderman Morgan. Vote was 6 ayes, 0 nays. Adopted.

**ORDINANCE NO 2016-17** REPEALING ORDINANCE NO. 2016-08 AUTHORIZING BORROWING FUNDS PURSUANT TO ARKANSAS CONSTITUTIONAL AMENDMENT 78 FOR THE ACQUISITION OF A 2016 KME CUSTOM PUMPER FIRE TRUCK. The Mayor explained that the date for borrowing these funds had expired and this Ordinance needs to be repealed. He also asked that it go to third and final reading. Motion to suspend the rules and go to third and final reading was made by Alderman King, second by Wozniak. Ayes: 6, Nays: 0. The Mayor then read the Ordinance for the third and final time and a motion was made on Adopting the Ordinance. Motion was made by Alderman Anderson, second by Alderman Wilson. Roll call vote Ayes: 6, Nays: 0

**R2016-26 AMENDING RESOLUTION NO. R2016-03** DESIGNATING AUTHORIZED DISBURSING OFFICERS FOR THE CITY OF BELLA VISTA FOR CALENDAR YEAR 2016. This will replace Jane Wilms signing with new HR director Melissa Cruise. Motion to approve by Alderman Anderson, second by Alderman Wozniak. Roll call vote, Ayes: 6, Nays: 0. Adopted.

**RESOLUTION NO R2016-27** Accepting the Resignation of G. Allen King as Alderman of the City of Bella Vista for Ward 3, Position 1, and Declaring a Vacancy. Mayor Christie thanked Alderman King for his service to the City. Alderman King thanked the public and stated that he enjoyed the experience and learned much from it. Motion to accept was made by Alderman Flynn, second by Alderman Wilson. Roll call vote, Ayes: Morgan, Flynn, Wozniak, Anderson & Wilson. Alderman King abstained. Adopted.

Alderman Anderson then asked about the steps needed to fill the vacancy on the council. Attorney Kelley then explained the options that can be pursued.

**RESOLUTION NO R2016-28** REDUCING THE SALARY COMPENSATION OF ALDERMAN LARRY WILSON TO ZERO DOLLARS (\$0) FOR THE REMAINDER OF CALENDAR YEAR 2016 AT HIS REQUEST, AND AMENDING THE 2016 ANNUAL CITY BUDGET TO AUTHORIZE THE TRANSFER OF FUNDING OTHERWISE DESIGNATED FOR THE COMPANSATION OF ALDERMAN WILSON TO THE BELLA VISTA POLICE DEPARTMENT. A motion to approve was made by Alderman Flynn, second by Alderman Morgan. This request was made by Alderman Wilson and affects only the compensation that he would receive. Roll Call Vote- Ayes 6, Nays 0. Passed.

**RESOLUTION NO R2016-29** AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH FROST OIL CO. IN AN AMOUNT OF \$.02 PER GALLON MARKUP OVER SELLER'S WHOLESALE PRICE PLUS FREIGHT FOR PURCHASE OF FUEL FOR THE CITY FUEL DEPOT. Motion to approve was made by Alderman Anderson, second by Alderman Wozniak. Roll call vote Ayes: 6, Nays: 0

**RESOLUTION NO. -** AMENDING THE 2016 ANNUAL CITY BUDGET TO APPROPRIATE \$340,000.00 FOR THE PURCHASE OF A 2016 KME CUSTOM PUMPER TRUCK FOR THE FIRE DEPARTMENT. The Mayor explained that there is an amendment to this Resolution given to Alderman this evening and asked that the amended resolution be approved. Moved by Alderman King, second by Alderman Wilson. Ayes: 6, Nays: 0 Following is the title of the approved amendment.

**RESOLUTION NO R 2016-30** AMENDING THE 2016 ANNUAL CITY BUDGET TO APPROPRIATE \$105,000.00 FOR THE PURCHASE OF A 2016 KME CUSTOM PUMPER TRUCK FOR THE FIRE DEPARTMENT AND MAKING CORRESPONDING BUDGET ADJUSTMENTS. A motion was then made to approve the amended motion by Alderman Anderson, second by Alderman Wozniak. Roll call vote, Ayes: 6, Nays: 0. Resolution Adopted.

**MEETINGS AND ANNOUNCEMENTS:**

- The next City Council Work Session will be Monday August 15, 2016 at 5:30PM in the City Hall Conference Room.
- The next Regular meeting of the City Council, Monday August 22, 2016 at 6:30 PM at the Bella Vista American Legion Hall.
- Planning Commission Work Session will be Thursday July 28, 2016 at 4:30PM in the City Hall conference room.
- Planning Commission Regular Meeting will be August 8, 2016 at 5:30PM in the City Hall conference room.

At this point more discussion was held on the vacancy on the council and how to handle this. Attorney Kelley explained that the Mayor could put forth a name and that the Alderman could also ask that a name be brought forward or choose to leave vacant. City rules are different than the rules that govern county and state offices.

Meeting was adjourned at 7:28 PM

City Clerk Wayne Jertson

Mayor Peter Christie